

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 78-110 are pending in the present application. Claims 78, 79, 82-85, 87, 89, 90, 93-96, 98-101, 104-107 and 109 are amended by the present amendment.

As an initial matter, Applicants thank the Examiner for the courtesy of an interview extended to Applicants' representatives on April 23, 2004. During the interview, the patentability of the pending claims over the prior art was discussed. Claims 78, 79, 82-85, 87, 89, 90, 93-96, 98-101, 104-107 and 109 are amended in light of the discussion during the interview. Accordingly, it is believed no further issues are outstanding.

I. Rejection under 35 USC § 101

Claims 78-80, 82-85, 87, 89-91, 93-96 and 98 were rejected under 35 USC § 101 as directed to non-statutory subject matter. Independent claims 78, 87, 89 and 98 are amended to recite calculation of a computer, which is believed to satisfy the requirements of 35 USC § 101. Accordingly, it is respectfully requested this rejection be withdrawn.

II. Rejection under 35 USC § 112

Claim 99 was rejected under 35 USC § 112, fourth paragraph for failing to contain a reference to a claim previously set forth. Claim 99 is amended to depend on claim 98, which corrects a minor informality and is believed to comply with 35 USC § 112, fourth paragraph. Accordingly, it is respectfully requested this rejection also be withdrawn.

III. Rejection under 35 USC 102

Claims 78-110 were rejected under 35 USC § 102(b) as anticipated by U.S. Patent number 5,056,019 to Schultz. This rejection is respectfully traversed.

Amended independent claim 78 recites a "calculation rate based on specific conditions including a purchase amount of the current transaction," support for which is found in the originally filed specification at least at page 18, lines 1 and 2. Independent claims 87, 89, 98, 100 and 109 are amended to include similar features.

It is respectfully submitted Schultz does not teach or suggest at least this feature of the independent claims. Accordingly, it is respectfully submitted independent claims 78, 87, 89, 98, 100 and 109 and each of the claims depending therefrom patentably distinguish over Schultz.

IV. Conclusion

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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